



MIDDLETOWN PLANNING COMMISSION

2012 ANNUAL REPORT

Approved May 13, 2013 by Burgess & Commissioners

BURGESS & COMMISSIONERS

John Miller, Burgess (4/2012-4/2016)

Jennifer Falcinelli, Burgess Pro-tem (4/2010-4/2014)

Larry Bussard (4/2010-4/2014)

Richard Dietrick (4/2010-4/2014)

Anthony Ventre (4/2012-4/2016)

Vincent O'Reilly (4/2008-4/2012)

Chris Goodman (4/2012-4/2016)

Andrew J. Bowen, Town Administrator

Middletown Planning Commission

Mark Carney, Chairman (12/2011-12/2016)

Robert Smart (12/2011-12/2016)

David Lake (2/2012-2/2017)

Richard Dietrick, Comm. Ex-Officio (4/10-4/12)

Bob Miller (1/2010-5/2013)

Chris Goodman, Alternate (1/2010-4/2012)

Chris Goodman, Comm. Ex-Officio (4/2012-4/2016)

Rich Gallagher, Alt. (2/2011-2/2016)

Ron Forrester, Temp. Alt (6/2012-6/2017)

Middletown Board Of Appeals

Fred Rudy, Chairman (6/2010-6/2013)

Thomas Routzahn (1/2008-2/2014)

Kenneth Kyler (1/2008-2/2014)

Chris Stimac, Alternate (1/2008-2/2014)

Planning Department Staff

Cynthia K. Unangst

Town Zoning Administrator

Cynthia K. Unangst

Engineering Staff

Bruce Carbaugh, Director of Operations and Construction

INTRODUCTION

Section 3.09 of Article 66B of the Annotated Code of Maryland requires that the Planning Commissions of non-charter counties and municipalities prepare, adopt and file an annual report with the local legislative body and a copy of the report be mailed to the Director of the Maryland Office of Planning. The report is a retrospective look at development activity within the jurisdiction with a focus on whether that activity is or is not consistent with a variety of adopted plans. The report thus informs both the Planning Commission and local legislative body about the strengths and weaknesses of the local planning program.

POPULATION IN MIDDLETOWN

<u>YEAR</u>	<u>POPULATION</u>	<u>INCREASE OR DECREASE</u>
1970 Census	1,262	N/A
1980 Census	1,748	486
1990 Census	1,834	86
2000 Census	2,668	173
2001 Estimate	2,768	100
2002 Estimate	2,951	183
2003 Estimate	3,237	286
2004 Estimate	3,655	418
2005 Estimate	3,833	178
2006 Estimate	3,966	133
2007 Estimate	4,105	139
2008 Estimate	4,198	93
2009 Estimate	4,239	41
2010 Census	4,136	-103
2011 Estimate	4,163	27
2012 Estimate	4,272	109

TEN YEAR PERIODS OF POPULATION GROWTH based on Census

1970 – 1980	486
1980 – 1990	86
1990 – 2000	834
2000 – 2010	<u>1,468</u>
	2,874

MIDDLETOWN PLANNING COMMISSION

The Middletown Planning Commission is a five-member commission, which has review and approval authority of site plans and subdivisions. In addition, the Planning Commission makes recommendations to the Burgess and Commissioners on rezoning, text amendments, annexations, and any other issue, which is planning related. The Middletown Planning Commission also makes recommendations to the Middletown Board of Appeals on cases involving special exceptions. (Numbers/letters in front of plan names correspond to numbers/letters on attached map.)

CONCEPT PLANS PRESENTED-2012

<u>Name</u>	<u>Units</u>	<u>Zoning</u>	<u>Request for:</u>
1A. Cone Branch Trail	N/A	OS	Approval of trail alignment plans (Approved 3/19)
1B. Newton Property Middletown Parkway	4	GC	Review of commercial building plans (6/18 and 11/19)

SITE PLANS-2012

<u>Name</u>	<u>Units</u>	<u>Zoning</u>	<u>Request for:</u>
2A. Wren's Nest West Main Street	1	TC	Approval of temporary storage container (Approved 1/16; expired 7/16)
2B. Putman Plumbing Revised Boileau Drive	1	TC	Approval of site plan for plumbing business (Approved 4/16)
2C. Christ Reformed Church South Church Street	1	OS	Approval of special exception use for farmer's market (Approved 2/11) (3-year approval)
2D. Main Cup Expansion West Main Street	1	TC	Approval of the expansion of the Main Cup restaurant (Approved 6/18 and 10/15)
2E. Stadium Concession Stand Schoolhouse Drive	1	OS	Approval of expansion of concession stand (Approved 6/18)
2F. St. Thomas More Academy Prospect Street	1	R-2	Approval of change of use to a private school (Approved 7/16 and 10/15)
2G. Mtn. Spirit Yoga Expansion West Main Street	1	TC	Approval of expansion of yoga studio (Approved 8/20)
2H. Main St. Groomers West Main Street	1	TC	Approval of dog grooming business (Approved 9/17)
2I. Thompson Parking Lot East Green Street	1	R-2	Approval of parking lot for funeral home (Disapproved 10/15)
2J. AMVETS Expansion West Green Street	1	OS	Approval of addition to AMVETS building (Approved 10/15)
2K. EarthSong Music Studio East Main Street	1	TC	Approval of music studio and real estate office (Approved 10/15)

MASTER PLANS-2012

<u>Name</u>	<u>Units</u>	<u>Zoning</u>	<u>Request for:</u>
3. Coblenz Property East Green Street	81	R-3	Approval of amended Master Plan (12/17)

LANDSCAPE PLANS-2012

<u>Name</u>	<u>Units</u>	<u>Zoning</u>	<u>Request for:</u>
None			

PRELIMINARY PLANS-2012

<u>Name</u>	<u>Units</u>	<u>Zoning</u>	<u>Request for:</u>
None			

MASS GRADING/SWM PLANS-2012

Name Units Zoning Request for:

None

IMPROVEMENT PLANS-2012

Name Units Zoning Request for:

None

FINAL FORESTRY PLANS-2012

Name Units Zoning Request for:

None

CORRECTION PLATS-2012

Name Units Zoning Request for:

None

ADDITION PLATS-2012

Name Units Zoning Request for:

None

FINAL PLATS-2012

Name Units Zoning Request for:

None

RE-ZONING REQUESTS:

None

ANNEXATIONS:

None

TEXT AMENDMENTS:

Text Amendments recommended to Burgess and Commissioners for adoption. (Municipal Code Number)

Vehicle sales regulations – Planning Commission recommended adoption of regulations permitting the sale of motor vehicles in any residential district subject to certain conditions. (Section 17.32.125) [PC recommended 9/17; B&C adopted 11/12]

Parking Lot special exceptions – Planning Commission recommended adoption of parking lots as a use in the R-2 zoning district permitted by special exception and to establish specific standards which must be met in order to permit parking lots in the R-2 district by special exception. (Section 17.06.030, Section 17.48.400) [PC recommended 12/17]

BOARD OF APPEALS: (letters in front of applicant names correspond to letters on attached map)

<u>Applicant</u>	<u>Request</u>	<u>Location</u>	<u>Motion</u>	<u>Date</u>
A. Christ Reformed Church	Special exception for farmer's market	12 South Church	Approved	5/29/12
B. Stanley	variances for swimming pool	2 Wagon Shed Court	Approved	6/19/12
C. Williston	1' variance for enclosed porch	9 Crone Lane	Approved	9/19/12

INFRASTRUCTURE PROJECTIONS:

TRANSPORTATION:

Action taken by the Town in the year 2012 has been consistent with the Town Comprehensive Plan and best management planning practices.

A Middletown Parkway remains a priority of the Town and is included in the Town Comprehensive Plan with alignments both north and south of town. Future development should incorporate roadway dedication and construction to provide minimum collector type road links from east to west, and a collector from US 40-A north to I-70.

The County and Town should develop plans to transfer Coblenz Road from county road status to the municipal street system in conjunction with the Admar annexation, should that ever occur.

The State Highway Administration is resurrecting the plans and cost estimates for improvements to the Main Street area of Middletown. The scope of the work includes replacement of water mains and storm water lines in the Main Street SHA right-of-ways and the feasibility studies for relocating utility lines, new signage, traffic patterns, and replacement or installation of curb, gutter and sidewalks.

WATER SUPPLY AND DISTRIBUTION:

The Town depends on 22 wells, 4 groups of springs, two reservoirs, and a water tower to supply water to the Town. The current total withdrawal permitted by the Town is 407,000 gallons per day (gpd). The average daily use for 2012 was 300,000 gpd (down from 321,000 in 2011). The water system is routinely monitored for possible contaminants in accordance with Federal and State laws, and none were at violation levels in 2012.

WASTE WATER TREATMENT FACILITIES:

The East End Wastewater Treatment Plant (WWTP) on the south side of Holter Road at Hollow Creek is designed to process 350,000 gpd of sewerage. The current discharge permit for the plant is 250,000 gpd. Average daily flows for 2012 were 198,000 gpd (down from 204,000 in 2011).

The discharge for the West End WWTP at Catoctin Creek in the southwest section of Town is 250,000 gpd. Average daily flows for 2012 were 183,000 gpd (down from 222,000 gpd in 2011).

There were two violations in 2012. The East WWTP had one violation for BOD (Biological Oxygen Demand) loading based on high flow from Hurricane Sandy. The West WWTP also had one violation for TSS (Total Suspended Solids) based on algae.

WATER/SEWER MASTER PLAN

Although the Town developed a Water/Sewer Master Plan as a Subsidiary Plan to the County Water/Sewer Master Plan, it was denied by the State in 2004, and consequently the Town complies with the County's Water and Sewer Master Plan.

PARKS AND GREENWAYS:

In 2012, the Town completed construction of Phase I of Remsberg Park, a community recreational park located on the south-side of Holter Road. Phase I construction included parking lots, two baseball/softball fields, three multi-purpose fields, a walking path, storm drainage, storm water management facilities, county road widening and an entrance road to the park. The total acreage of the park is approximately 87.9 acres.

The Town is currently funding design of the walking/biking trail along the Cone Branch Creek. The design is complete and MDE permits have been applied for with construction planned for 2013. This walking/biking trail will connect the existing sidewalk system to Remsberg Park and Middletown Primary School which is also a Recreation Center.

PROTECTION OF HISTORIC STRUCTURES:

At the present time, the only regulations regarding the demolition of buildings are a zoning control (Section 17.32.160, Zoning, Middletown Municipal Code), which requires a Demolition Permit. This permit allows a building to be inventoried prior to the demolition but does not prohibit demolition.

The Town has approval of two historic districts approved by the National Register, allowing for property owners to voluntarily participate in government programs to recognize and improve properties. This process required establishment of a Historic Commission, which acts as a conduit between property owners and available programs. The Town also worked with private citizens to implement an identification plaque program for placement of plaques on historically significant structures in the historic districts. No plaques were placed on historically significant structures in 2012.

STRATEGIC PLANNING INITIATIVES

ZONING ORDINANCE UPDATE

The Planning Commission and planning staff began a comprehensive review of the Town Zoning Ordinances to review changes for consistency with the updated Middletown Comprehensive Plan in 2010.

PLANNING COMMISSION RECOMMENDATIONS:

ONGOING RECOMMENDATIONS:

1. Review walkway and road construction strategies to be incorporated into current & future growth and development.
2. Review and refine a management system for the plan review process to help ensure that files are complete and easily accessible, and which includes a checklist to verify that all agency approvals are in place.
3. Continue review of zoning ordinances as needed to ensure compatibility with the comprehensive plan.

4. Work on promotion and development of a trails system as shown in the Comprehensive Plan by working with the Town Board, citizens and community groups.

NEW RECOMMENDATIONS:

1. Work closely with Main Street Maryland Program to help revitalize downtown Middletown.
2. Work on promoting sustainable development practices thru the development review process.
3. Work on applying for the Maryland Sustainable Communities designation and discuss potential projects to consider for any applicable funding associated with the designation.

Permits Issued

TYPE	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	5 yr.	5 yr.		
Single - Family	45	36	29	18	40	168	75	106	92	45	22	340	30	31	12	17	23	113	10	12				
Multi-Family	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0			
Duplex	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	1	0	0	0	0			
Townhouse	0	0	0	0	0	0	0	42	15	0	57	16	19	23	24	0	82	0	0	0	0			
Apartments	0	0	1	0	0	1	0	1	0	0	1	0	0	0	0	0	0	0	0	0	0			
Interior Improvements	0	0	0	0	0	0	9	11	20	19	22	81	18	20	19	12	19	88	15	11				
Additions	0	0	0	0	0	0	6	15	15	28	20	84	8	12	2	6	2	30	6	7				
Pools & Hot Tubs	5	5	4	6	3	23	7	9	9	16	4	45	8	12	7	4	3	34	2	6				
Decks & Porches	18	23	34	20	11	106	18	38	36	64	39	195	37	41	31	27	28	164	32	19				
Accessory Structure	6	12	18	5	25	66	14	15	24	23	16	92	18	13	14	9	9	63	6	5				
Fences	6	13	19	17	11	66	18	27	41	36	29	151	23	16	25	24	20	108	16	24				
Demolitions	1	2	2	0	2	7	1	1	0	1	2	5	0	2	0	2	1	5	2	1				
Propane Tanks	0	0	0	0	0	0	1	1	3	6	6	17	3	4	2	2	1	12	6	2				
Sales Trailer	0	0	0	0	0	0	3	2	0	0	3	8	0	0	0	0	0	0	0	0				
Pump Station	0	0	0	0	0	0	1	0	0	0	0	1	0	0	1	0	0	1	0	0				
Signs	1	8	2	2	3	16	8	6	4	4	7	29	5	7	2	5	6	25	7	8				
New Commercial	0	7	2	2	4	15	2	4	0	0	0	6	0	0	0	0	1	1	0	0				
Commercial Conversion	0	0	0	0	0	0	4	5	7	6	8	30	1	2	7	3	3	16	4	6				
Industrial Conversion	0	0	0	0	0	0	2	0	0	0	2	0	0	0	0	0	0	0	0	0				
Office Conversion	0	0	0	0	0	0	4	4	0	1	4	13	14	3	0	5	2	24	0	3				
Other														2	1	2	2	7	5	4				
Total Permits	82	106	111	70	99	468	173	245	293	264	182	1157	182	184	146	142	120	774	111	108				

Annual Report on Growth Related Changes
Per SB 280/HB 295, effective June 1, 2009

Town of Middletown
(name of jurisdiction)

Prepared by the Middletown Planning Commission for the period
January 2012 through December 2012

Submitted on April 10, 2013 (due July 1 for the preceding calendar year)

1. **Development Patterns** - List all changes in development patterns that have occurred over the past year, including:
 - (a) New subdivisions created: *none*
 - (b) New building permits issued; *12*
 - (c) Zoning map amendments; *none*
 - (d) Zoning text amendments that resulted in changes in development patterns; *none*
 - (e) New Comprehensive Plan or plan elements adopted; *none*
 - (f) New roads or substantial changes in roads or other transportation facilities; *none*
 - (g) New schools or additions to schools; *none*
 - (h) Other changes in development patterns. *none*

2. **Map** - Attach a map that shows the above changes in development patterns (the map should identify new subdivisions, zoning map changes, etc).

Coblentz Grove Villas 3-lot subdivision approved last year has now been delineated by our GIS consultant; attached is a map.

3. **Consistency** - Determine and state whether all of the changes in development patterns listed above are or are not consistent with:

- (a) Each other; *yes, they are consistent.*
- (b) The recommendations of the last annual report; *yes, they are consistent.*
- (c) The adopted plans of the local jurisdiction; *yes, they are consistent.*
- (d) The adopted plans of all adjoining local jurisdictions; *yes, they are consistent.*
- (e) The adopted plans of State and local jurisdictions that have responsibility for financing or constructing public improvements necessary to implement the local jurisdiction's plan. *yes, they are consistent.*

4. **Process Improvements** - What are your jurisdictions plans for improving the local planning and development processes? *Walk-thru permits continue to be available thru local/County coordination; the Middletown Planning Commission holds a workshop ahead of the monthly meeting to review agenda items which makes it easier to approve plans at the monthly meeting.*

5. **Ordinances and/or Regulations** - List zoning ordinances or regulations that have been adopted or changed to implement the planning visions in §1.01 of Article 66B.
None within the past year.

**Annual Report on Smart Growth Goals, Measures, and Indicators and
Implementation of Planning Visions**

Per SB 276/HB 295

Second Report due July 1, 2013 for Calendar Year 2012

Town of Middletown

(name of jurisdiction)

Prepared by the _____ Middletown _____ Planning Commission
for the period January 2012 through December 2012

Submitted on _____

Measures and Indicators

With the exception of jurisdictions that issue less than 50 building permits per year, the measures and indicators that must be reported on are:

Amount and share of growth that is being located inside and outside the Priority Funding Area (PFA):

Net density of growth that is being located inside and outside the PFA:

Creation of new lots and the issuance of residential and commercial building permits inside and outside the PFA: **12 residential single-family dwelling permits were issued inside the PFA; nine commercial building permits were issued inside the PFA which were change of use permits;**

Development capacity analysis, updated once every 3 years or when there is a significant zoning or land use change:

Number of acres preserved using local agricultural land preservation funding: **none**
